

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 300

Introduced by Howard, 9

Read first time January 11, 2007

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to state personnel; to create the State Work
2 Incentive Program; to state intent; and to provide powers
3 and duties.
4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) The State Work Incentive Program is hereby
2 created. The purpose of the program is to aid in employing (a)
3 participants in the Temporary Assistance for Needy Families Program
4 in Nebraska and (b) vocational rehabilitation clients of the
5 Division of Vocational Rehabilitation of the State Department
6 of Education or the Commission for the Blind and Visually
7 Impaired. The program shall focus on placement of persons in
8 entry-level positions with the state. The Department of Health
9 and Human Services and the Division of Vocational Rehabilitation
10 shall notify agencies in all branches of state government of
11 this program and shall certify to appointing authorities and
12 the Director of Personnel that a person is a participant in
13 the Temporary Assistance for Needy Families Program or is a
14 vocational rehabilitation client of the Division of Vocational
15 Rehabilitation or the Commission for the Blind and Visually
16 Impaired before the person is eligible to be employed under
17 the State Work Incentive Program by a state agency. Agencies shall
18 cooperate with the Department of Health and Human Services and
19 the Division of Vocational Rehabilitation in seeking to provide
20 employment opportunities to persons who are participants in the
21 Temporary Assistance for Needy Families Program or who are
22 vocational rehabilitation clients of the Division of Vocational
23 Rehabilitation or the Commission for the Blind and Visually
24 Impaired. The Department of Health and Human Services, the Division
25 of Vocational Rehabilitation, and the personnel division of the

1 State of Nebraska shall coordinate with agencies to facilitate
2 the transition of participants in the Temporary Assistance for
3 Needy Families Program and vocational rehabilitation clients of the
4 Division of Vocational Rehabilitation or the Commission for the
5 Blind and Visually Impaired into the State Work Incentive Program.

6 (2) Agencies employing eligible persons in the State
7 Work Incentive Program shall employ them for up to two years in
8 temporary full-time or part-time capacity. State Work Incentive
9 Program positions shall not be included within any limitation
10 on full-time-equivalent employee positions for any agency. The
11 performance of participants shall be evaluated and rated pursuant
12 to section 81-1311 and rules and regulations adopted by the
13 personnel division.

14 (3) Employees hired under the State Work Incentive
15 Program shall be eligible for leave benefits and other benefits
16 available to state employees, subject to other eligibility
17 requirements, and may be reassigned or promoted while they are
18 participating in the program.

19 (4) Employees hired under the State Work Incentive
20 Program shall be eligible for conversion to permanent status after
21 two years of continuous participation in the program or, prior
22 to a full two-year participation period, after being hired for a
23 position in which they are qualified. Such employee shall be exempt
24 from probationary hiring procedures, including, but not limited to,
25 placement on hiring lists and certification from registers, if the

- 1 employee:
- 2 (a) Has had satisfactory performance as evidenced by
3 performance evaluation ratings;
- 4 (b) Possesses the minimum requirements specified for an
5 applicable job; and
- 6 (c) Passes any entrance examination required for the
7 applicable job by the personnel division, or, in the case of a
8 person with severe disabilities, has met the essential functions of
9 the applicable job.
- 10 (5) The Director of Personnel shall adopt and promulgate
11 rules and regulations necessary for the implementation of the State
12 Work Incentive Program.